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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 JTH TAX LLC (d/b/a LIBERTY TAX
11 SERVICE) and SIEMPRETAX+ LLC,

12 Plaintiffs,

13 v.

14 LORRAINE MCHUGH, RICHARD
15 O'BRIEN, and KVC ENTERPRISES LLC,

16 Defendants.
17

Case No. C20-329RSM

ORDER DENYING MOTION TO
CONTINUE DEADLINE FOR RESPONSE
TO MOTION FOR SUMMARY
JUDGMENT

18 This matter comes before the Court on Defendants' Motion to Continue Deadline for
19 Response to Motion for Summary Judgment. Dkt. #70. Plaintiff SiempreTax+ LLC filed a
20 Motion for Partial Summary Judgment on June 4, 2021. Dkt. #67. Plaintiff's Motion was noted
21 for consideration on July 2, 2021, making the response brief due on June 28. LCR 7(d)(3). On
22 July 2, 2021, Defendants filed the instant Motion, a single page, requesting "a continuance of 21
23 days from today's date to respond to Plaintiff's motion." Dkt. #70 at 1. Defendants state,
24 "[o]ver the course of the last month, Plaintiff's [sic] counsel has been in intensive preparation
25 for two back-to-back jury trials in King County Superior Court..." and that "[t]he preparation
26 and execution periods for these two trials has been intensive, and has overlapped with
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ORDER DENYING MOTION TO CONTINUE DEADLINE FOR RESPONSE TO MOTION
FOR SUMMARY JUDGMENT - 1

1 Defendant's response period for the present Motion for Summary Judgment." *Id.* There is no
2 attached declaration.

3 This is not Defendants' first time failing to respond to a Motion in this case, and the
4 Court has previously warned Defendants on this topic. *See* Dkt. #66 at 3 ("Defendants have
5 played a dangerous game in failing to file an opposition brief.").

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7 "A motion for relief from a deadline should, whenever possible, be filed sufficiently in
8 advance of the deadline to allow the court to rule on the motion prior to the deadline." LCR
9 7(j). Parties should not assume that the motion will be granted and must comply with the
10 existing deadline unless the court orders otherwise." *Id.*

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12 The Court finds that it can rule on the instant Motion without waiting for responsive
13 briefing. Defendants do not even attempt to set forth good cause for failing to file the instant
14 Motion in advance of the deadline at issue. Defendants also fail to set forth good cause for
15 granting the requested relief. Defendants' one or two sentences about being busy with other
16 legal matters, with no attached declaration, fails to adequately explain the situation and instead
17 demonstrates a lack of care in this matter.

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19 Given all of the above, and having reviewed the relevant briefing and the remainder of
20 the record, the Court hereby finds and ORDERS that Defendants' Motion to Continue Deadline
21 for Response to Motion for Summary Judgment, Dkt. #70, is DENIED.

22 DATED this 6th day of July, 2021.

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25 RICARDO S. MARTINEZ
26 CHIEF UNITED STATES DISTRICT JUDGE
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